

EXHIBIT 1

From: Josh Schaffer
To: Medina, Allan (CRM); Ansley, Jeffrey J.
Cc: McCarthy, Brandon N.; Villa, Michael (EXTERNAL); Riley, Rachel; Fleming, Mary C.; Scottie D. Allen; Louis, Samuel (EXTERNAL); justo.mendez@gmlaw.com; Goodman, Arianna G.; Deau, Samuel M.; Cogdell, Dan (EXTERNAL); Norris, Nicholas (EXTERNAL); Henard, Susan; Upthegrove, Joshua R.; Kramer, Alexander (CRM)
Subject: Re: [EXTERNAL] Re: U.S. v. Swiencinski, et. al. (18-CR-00368)
Date: Tuesday, January 24, 2023 9:18:16 AM

EXTERNAL EMAIL – EXERCISE CAUTION

If you have received everyone else's *ex parte* filings, then you have ours. We didn't file anything solo. Do you have Doc. 385 filed on 12-13-22?

Josh Schaffer
1021 Main, Suite 1440
Houston, Texas 77002
(713) 951-9555
(713) 951-9854 (fax)
josh@joshschafferlaw.com
www.joshschafferlaw.com

From: Medina, Allan (CRM) <Allan.Medina@usdoj.gov>
Sent: Monday, January 23, 2023 8:17:46 PM
To: Josh Schaffer <josh@joshschafferlaw.com>; Ansley, Jeffrey J. <jansley@vedderprice.com>
Cc: McCarthy, Brandon N. (EXTERNAL) <brandon.mccarthy@katten.com>; Villa, Michael (EXTERNAL) <mvilla@meadowscollier.com>; Riley, Rachel (EXTERNAL) <rachel.riley@katten.com>; Fleming, Mary C. (EXTERNAL) <mary.fleming@katten.com>; Scottie D. Allen <scottiedallen@scottiedallenlaw.com>; Louis, Samuel (EXTERNAL) <Samuel.Louis@hklaw.com>; justo.mendez@gmlaw.com <justo.mendez@gmlaw.com>; Goodman, Arianna G. <agoodman@vedderprice.com>; Deau, Samuel M. <sdeau@vedderprice.com>; Cogdell, Dan (EXTERNAL) <dcogdell@joneswalker.com>; Norris, Nicholas (EXTERNAL) <nnorris@joneswalker.com>; Henard, Susan <shenard@meadowscollier.com>; Upthegrove, Joshua R. <joshua.upthegrove@katten.com>; Kramer, Alexander (CRM) <Alexander.Kramer@usdoj.gov>
Subject: RE: [EXTERNAL] Re: U.S. v. Swiencinski, et. al. (18-CR-00368)

Josh –

I appreciate you getting back to Alex and me despite being in trial.
That said, everyone has provided us with their *ex parte* submissions.
To the extent you would like to discuss the basis for not providing your submissions as the Court ordered, we would appreciate a call this week.
Otherwise, you can always raise your objection with the Court.

Allan

From: Josh Schaffer <josh@joshschafferlaw.com>
Sent: Monday, January 23, 2023 7:02 PM
To: Ansley, Jeffrey J. <jansley@vedderprice.com>; Medina, Allan (CRM) <Allan.Medina@usdoj.gov>
Cc: McCarthy, Brandon N. (EXTERNAL) <brandon.mccarthy@katten.com>; Villa, Michael (EXTERNAL)

<mvilla@meadowscollier.com>; Riley, Rachel (EXTERNAL) <rachel.riley@katten.com>; Fleming, Mary C. (EXTERNAL) <mary.fleming@katten.com>; Scottie D. Allen <scottiedallen@scottiedallenlaw.com>; Louis, Samuel (EXTERNAL) <Samuel.Louis@hklaw.com>; justo.mendez@gmlaw.com; Goodman, Arianna G. <agoodman@vedderprice.com>; Deau, Samuel M. <sdeau@vedderprice.com>; Cogdell, Dan (EXTERNAL) <dcogdell@joneswalker.com>; Norris, Nicholas (EXTERNAL) <nnorris@joneswalker.com>; Henard, Susan <shenard@meadowscollier.com>; Upthegrove, Joshua R. <joshua.upthegrove@katten.com>; Kramer, Alexander (CRM) <Alexander.Kramer@usdoj.gov>
Subject: RE: [EXTERNAL] Re: U.S. v. Swiencinski, et. al. (18-CR-00368)

Sorry for my belated response. I started a trial today. I recall that I asked Judge Bennett to order the gov't to limit access of the ex parte pleadings to the "Review Team" and to shield them from the "Trial Team." I *think* he instructed us to confer on that point and then moved along to the next issue. Sounds like we can't agree.

Breimeister joins McAda and will not agree to your team sharing the ex parte pleadings or their contents with the trial prosecutors and the investigating agents. I prefer that we resolve this issue before producing the ex parte pleadings involving Breimeister. Please advise.

Thanks,

Josh Schaffer
1021 Main, Suite 1440
Houston, Texas 77002
(713) 951-9555
(713) 951-9854 (fax)
josh@joshschafferlaw.com
www.joshschafferlaw.com

From: Ansley, Jeffrey J.
Sent: Monday, January 23, 2023 10:34 AM
To: Medina, Allan (CRM) <Allan.Medina@usdoj.gov>
Cc: Josh Schaffer <josh@joshschafferlaw.com>; McCarthy, Brandon N. (EXTERNAL) <brandon.mccarthy@katten.com>; Villa, Michael (EXTERNAL) <mvilla@meadowscollier.com>; Riley, Rachel (EXTERNAL) <rachel.riley@katten.com>; Fleming, Mary C. (EXTERNAL) <mary.fleming@katten.com>; Scottie D. Allen <scottiedallen@scottiedallenlaw.com>; Louis, Samuel (EXTERNAL) <Samuel.Louis@hklaw.com>; justo.mendez@gmlaw.com; Goodman, Arianna G. <agoodman@vedderprice.com>; Deau, Samuel M. <sdeau@vedderprice.com>; Cogdell, Dan (EXTERNAL) <dcogdell@joneswalker.com>; Norris, Nicholas (EXTERNAL) <nnorris@joneswalker.com>; Henard, Susan <shenard@meadowscollier.com>; Upthegrove, Joshua R. <joshua.upthegrove@katten.com>; Kramer, Alexander (CRM) <Alexander.Kramer@usdoj.gov>
Subject: Re: [EXTERNAL] Re: U.S. v. Swiencinski, et. al. (18-CR-00368)

It was raised and discussed with the Court. So if you won't agree to limit the scope to which you share what you receive with fact witnesses except as necessary for your investigation, as

surprising as that position is, I expect we'll have to file something.

Thanks,

Jeff

Jeff Ansley, Shareholder

VedderPrice

469.895.4790 (o)

214.727.3994 (m)

300 Crescent Court, Suite 400

Dallas, Texas 75201

[web](#) | [email](#) | [offices](#) | [biography](#)

From: "Medina, Allan (CRM)" <Allan.Medina@usdoj.gov>

Sent: Monday, January 23, 2023 9:49 AM

To: Ansley, Jeffrey J.

Cc: Schaffer, Josh (EXTERNAL); McCarthy, Brandon N. (EXTERNAL); Villa, Michael (EXTERNAL); Riley, Rachel (EXTERNAL); Fleming, Mary C. (EXTERNAL); Scottie D. Allen; Louis, Samuel (EXTERNAL); justo.mendez@gmlaw.com; Goodman, Arianna G.; Deau, Samuel M.; Cogdell, Dan (EXTERNAL); Norris, Nicholas (EXTERNAL); Henard, Susan; Upthegrove, Joshua R.; Kramer, Alexander (CRM)

Subject: Re: [EXTERNAL] Re: U.S. v. Swiencinski, et. al. (18-CR-00368)

Jeff -

It's my understanding that the Court didn't limit the use of the materials by Alex and me.

The Order was clear: to produce the ex parte filings.

To the extent you disagree, you can raise your objection with the Court.

Allan J. Medina

Senior Deputy Chief

U.S. Department of Justice

Criminal Division, Fraud Section

(202) 257-6537

On Jan 23, 2023, at 10:25 AM, Ansley, Jeffrey J. <jansley@vedderprice.com> wrote:

Thanks, Allan.

Please confirm that any ex parte materials you receive won't be shared with the trial team, including the case agents involved in trial and preparation, other than any disclosures of information necessary in the course of your investigative interviews.

Thanks,

Jeff

Jeff Ansley, Shareholder

VedderPrice

O 469.895.4790 | M 214.727.3994

300 Crescent Court, Suite 400

Dallas, Texas 75201

[web](#) | [email](#) | [offices](#) | [biography](#)

From: Medina, Allan (CRM) <Allan.Medina@usdoj.gov>

Sent: Monday, January 23, 2023 8:21 AM

To: Schaffer, Josh (EXTERNAL) <josh@joshschafferlaw.com>

Cc: McCarthy, Brandon N. (EXTERNAL) <brandon.mccarthy@katten.com>; Villa, Michael (EXTERNAL) <mvilla@meadowscollier.com>; Riley, Rachel (EXTERNAL) <rachel.riley@katten.com>; Fleming, Mary C. (EXTERNAL) <mary.fleming@katten.com>; Scottie D. Allen <scottiedallen@scottiedallenlaw.com>; Louis, Samuel (EXTERNAL) <Samuel.Louis@hklaw.com>; justo.mendez@gmlaw.com; Ansley, Jeffrey J. <jansley@vedderprice.com>; Goodman, Arianna G. <agoodman@vedderprice.com>; Deau, Samuel M. <sdeau@vedderprice.com>; Cogdell, Dan (EXTERNAL) <dcogdell@joneswalker.com>; Norris, Nicholas (EXTERNAL) <nnorris@joneswalker.com>; Henard, Susan <shenard@meadowscollier.com>; Upthegrove, Joshua R. <joshua.upthegrove@katten.com>; Kramer, Alexander (CRM) <Alexander.Kramer@usdoj.gov>

Subject: Re: [EXTERNAL] Re: U.S. v. Swiencinski, et. al. (18-CR-00368)

I am following up on the Court's Order to produce the ex parter filings related to the *Brady* hearing.

To the extent you haven't done so already, please send the pleadings and relevant attachments to Alex and me by COB today.

To the extent you cannot produce these materials by today, please let me know when we should expect to receive this information. Regards,

Allan J. Medina
Senior Deputy Chief
U.S. Department of Justice
Criminal Division, Fraud Section
(202) 257-6537

On Jan 19, 2023, at 2:39 PM, Josh Schaffer <josh@joshschafferlaw.com> wrote:

Allan,

Sorry for the delayed response. I'm preparing for another trial.

Breimeister opposes.

Thanks,

Josh Schaffer
1021 Main, Suite 1440
Houston, Texas 77002
(713) 951-9555
(713) 951-9854 (fax)
josh@joshschafferlaw.com
www.joshschafferlaw.com

From: Medina, Allan (CRM) <Allan.Medina@usdoj.gov>
Sent: Wednesday, January 18, 2023 1:46 PM
To: McCarthy, Brandon N. <brandon.mccarthy@katten.com>; Villa, Michael A. <mvilla@meadowscollier.com>; Riley, Rachel <rachel.riley@katten.com>; Fleming, Mary C. <mary.fleming@katten.com>; Scottie D. Allen <scottiedallen@scottiedallenlaw.com>; Samuel.Louis@hklaw.com <Samuel.Louis@hklaw.com>; justo.mendez@gmlaw.com <justo.mendez@gmlaw.com>; jansley@vedderprice.com <jansley@vedderprice.com>; Goodman, Arianna G. <agoodman@vedderprice.com>; Deau, Samuel M. <sdeau@vedderprice.com>; dcogdell@joneswalker.com <dcogdell@joneswalker.com>; nnorris@joneswalker.com <nnorris@joneswalker.com>; Henard, Susan <shenard@meadowscollier.com>; 'Upthegrove, Joshua R.' <joshua.upthegrove@katten.com>; Josh Schaffer <josh@joshschafferlaw.com>
Cc: Kramer, Alexander (CRM) <Alexander.Kramer@usdoj.gov>
Subject: U.S. v. Swiencinski, et. al. (18-CR-00368)

Counsel –

In light of the Court's scheduling order *vis a vis* the ongoing *Brady* hearing and the Court's ongoing consideration of your opposed motion for an

evidentiary hearing, we do think it would be prudent to file something with the district court excluding time under the Speedy Trial Act. Please let me know if you object to such a filing.

To the extent there are no objections, the government would propose excluding time until 30 days after the conclusion of the final hearing on this issue.

Thank you.

Allan J. Medina
Senior Deputy Chief
Department of Justice
Criminal Division, Fraud Section
(202) 257-6537

CONFIDENTIALITY NOTE: This e-mail is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this e-mail message is not the intended recipient, or the employee or agent responsible for delivery of the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is prohibited. If you have received this e-mail in error, please notify us immediately by telephone at (312) 609-5038 and also indicate the sender's name. Thank you.

Vedder Price P.C. is affiliated with Vedder Price LLP, which operates in England and Wales, with Vedder Price (CA), LLP which operates in California and with Vedder Price Pte. Ltd. which operates in Singapore.

From: [Medina, Allan \(CRM\)](#)
To: [McCarthy, Brandon N.](#)
Cc: [Ansley, Jeffrey J.](#); [Schaffer, Josh \(EXTERNAL\)](#); [Villa, Michael \(EXTERNAL\)](#); [Riley, Rachel](#); [Fleming, Mary C.](#); [Scottie D. Allen](#); [Louis, Samuel \(EXTERNAL\)](#); justo.mendez@gmlaw.com; [Goodman, Arianna G.](#); [Deau, Samuel M.](#); [Cogdell, Dan \(EXTERNAL\)](#); [Norris, Nicholas \(EXTERNAL\)](#); [Henard, Susan](#); [Upthegrove, Joshua R.](#); [Kramer, Alexander \(CRM\)](#)
Subject: Re: [EXTERNAL] Re: U.S. v. Swiencinski, et. al. (18-CR-00368)
Date: Monday, January 23, 2023 12:20:37 PM
Attachments: [Supp to Brief on Misconduct \(01.16.2023\) Redactedv1 Redacted.pdf](#)

EXTERNAL EMAIL – EXERCISE CAUTION

Thank you; received.

Allan J. Medina
Senior Deputy Chief
U.S. Department of Justice
Criminal Division, Fraud Section
(202) 257-6537

On Jan 23, 2023, at 11:35 AM, McCarthy, Brandon N.
<brandon.mccarthy@katten.com> wrote:

Allan-

I have attached a redacted copy of our latest filing. To the extent you cannot share it with the trial team until a determination is made by the court, that would be ideal. I think you will see that there is a danger in sharing this information with the trial team before they are questioned about specific examples.

Thanks

*We will continue to supplement as we make it through the latest productions. And please let me know which filings you are missing and we will get them to you.

Brandon N. McCarthy

Partner

Katten

Katten Muchin Rosenman LLP

2121 North Pearl Street, Suite 1100 | Dallas, TX 75201-2591

direct +1.214.765.3680

brandon.mccarthy@katten.com | katten.com

From: Medina, Allan (CRM) <Allan.Medina@usdoj.gov>

Sent: Monday, January 23, 2023 9:49 AM

To: Ansley, Jeffrey J. <jansley@vedderprice.com>

Cc: Schaffer, Josh (EXTERNAL) <josh@joshschafferlaw.com>; McCarthy, Brandon N. <brandon.mccarthy@katten.com>; Villa, Michael (EXTERNAL) <mvilla@meadowscollier.com>; Riley, Rachel <rachel.riley@katten.com>; Fleming,

Mary C. <mary.fleming@katten.com>; Scottie D. Allen
<scottiedallen@scottiedallenlaw.com>; Louis, Samuel (EXTERNAL)
<Samuel.Louis@hklaw.com>; justo.mendez@gmlaw.com; Goodman, Arianna G.
<agoodman@vedderprice.com>; Deau, Samuel M. <sdeau@vedderprice.com>;
Cogdell, Dan (EXTERNAL) <dcogdell@joneswalker.com>; Norris, Nicholas (EXTERNAL)
<nnorris@joneswalker.com>; Henard, Susan <shenard@meadowscollier.com>;
Upthegrove, Joshua R. <joshua.upthegrove@katten.com>; Kramer, Alexander (CRM)
<Alexander.Kramer@usdoj.gov>

Subject: Re: [EXTERNAL] Re: U.S. v. Swiencinski, et. al. (18-CR-00368)

EXTERNAL EMAIL – EXERCISE CAUTION

Jeff -

It's my understanding that the Court didn't limit the use of the materials by Alex and me.

The Order was clear: to produce the ex parte filings.

To the extent you disagree, you can raise your objection with the Court.

Allan J. Medina
Senior Deputy Chief
U.S. Department of Justice
Criminal Division, Fraud Section
(202) 257-6537

On Jan 23, 2023, at 10:25 AM, Ansley, Jeffrey J.
<jansley@vedderprice.com> wrote:

Thanks, Allan.

Please confirm that any ex parte materials you receive won't be shared with the trial team, including the case agents involved in trial and preparation, other than any disclosures of information necessary in the course of your investigative interviews.

Thanks,

Jeff

Jeff Ansley, Shareholder

VedderPrice

O 469.895.4790 | M 214.727.3994
300 Crescent Court, Suite 400

Dallas, Texas 75201

[web](#) | [email](#) | [offices](#) | [biography](#)

From: Medina, Allan (CRM) <Allan.Medina@usdoj.gov>

Sent: Monday, January 23, 2023 8:21 AM

To: Schaffer, Josh (EXTERNAL) <josh@joshschafferlaw.com>

Cc: McCarthy, Brandon N. (EXTERNAL) <brandon.mccarthy@katten.com>;

Villa, Michael (EXTERNAL) <mvilla@meadowscollier.com>; Riley, Rachel

(EXTERNAL) <rachel.riley@katten.com>; Fleming, Mary C. (EXTERNAL)

<mary.fleming@katten.com>; Scottie D. Allen

<scottiedallen@scottiedallenlaw.com>; Louis, Samuel (EXTERNAL)

<Samuel.Louis@hklaw.com>; justo.mendez@gmlaw.com; Ansley, Jeffrey

J. <jansley@vedderprice.com>; Goodman, Arianna G.

<agoodman@vedderprice.com>; Deau, Samuel M.

<sdeau@vedderprice.com>; Cogdell, Dan (EXTERNAL)

<dcogdell@joneswalker.com>; Norris, Nicholas (EXTERNAL)

<nnorris@joneswalker.com>; Henard, Susan

<shenard@meadowscollier.com>; Upthegrove, Joshua R.

<joshua.upthegrove@katten.com>; Kramer, Alexander (CRM)

<Alexander.Kramer@usdoj.gov>

Subject: Re: [EXTERNAL] Re: U.S. v. Swiencinski, et. al. (18-CR-00368)

All -

I am following up on the Court's Order to produce the ex parter filings related to the *Brady* hearing.

To the extent you haven't done so already, please send the pleadings and relevant attachments to Alex and me by COB today.

To the extent you cannot produce these materials by today, please let me know when we should expect to receive this information. Regards,

Allan J. Medina

Senior Deputy Chief

U.S. Department of Justice

Criminal Division, Fraud Section

(202) 257-6537

On Jan 19, 2023, at 2:39 PM, Josh Schaffer

<josh@joshschafferlaw.com> wrote:

Allan,

Sorry for the delayed response. I'm preparing for another trial.

Breimeister opposes.

Thanks,

Josh Schaffer
1021 Main, Suite 1440
Houston, Texas 77002
(713) 951-9555
(713) 951-9854 (fax)
josh@joshschafferlaw.com
www.joshschafferlaw.com

From: Medina, Allan (CRM) <Allan.Medina@usdoj.gov>
Sent: Wednesday, January 18, 2023 1:46 PM
To: McCarthy, Brandon N.
<brandon.mccarthy@katten.com>; Villa, Michael A.
<mvilla@meadowscollier.com>; Riley, Rachel
<rachel.riley@katten.com>; Fleming, Mary C.
<mary.fleming@katten.com>; Scottie D. Allen
<scottiedallen@scottiedallenlaw.com>;
Samuel.Louis@hklaw.com <Samuel.Louis@hklaw.com>;
justo.mendez@gmlaw.com <justo.mendez@gmlaw.com>;
jansley@vedderprice.com <jansley@vedderprice.com>;
Goodman, Arianna G. <agoodman@vedderprice.com>;
Deau, Samuel M. <sdeau@vedderprice.com>;
dcogdell@joneswalker.com <dcogdell@joneswalker.com>;
nnorris@joneswalker.com <nnorris@joneswalker.com>;
Henard, Susan <shenard@meadowscollier.com>;
'Upthegrove, Joshua R.' <joshua.upthegrove@katten.com>;
Josh Schaffer <josh@joshschafferlaw.com>
Cc: Kramer, Alexander (CRM)
<Alexander.Kramer@usdoj.gov>
Subject: U.S. v. Swiencinski, et. al. (18-CR-00368)

Counsel –

In light of the Court's scheduling order *vis a vis* the ongoing *Brady* hearing and the Court's ongoing consideration of your opposed motion for an evidentiary hearing, we do think it would be prudent to file something with the district court excluding time under the Speedy Trial Act. Please let me

know if you object to such a filing.

To the extent there are no objections, the government would propose excluding time until 30 days after the conclusion of the final hearing on this issue.

Thank you.

Allan J. Medina
Senior Deputy Chief
Department of Justice
Criminal Division, Fraud Section
(202) 257-6537

CONFIDENTIALITY NOTE: This e-mail is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this e-mail message is not the intended recipient, or the employee or agent responsible for delivery of the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is prohibited. If you have received this e-mail in error, please notify us immediately by telephone at (312) 609-5038 and also indicate the sender's name. Thank you.

Vedder Price P.C. is affiliated with Vedder Price LLP, which operates in England and Wales, with Vedder Price (CA), LLP which operates in California and with Vedder Price Pte. Ltd. which operates in Singapore.

=====
CONFIDENTIALITY NOTICE:
This electronic mail message and any attached files contain information intended for the exclusive use of the individual or entity to whom it is addressed and may contain information that is proprietary, privileged, confidential and/or exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any viewing, copying, disclosure or distribution of this information may be subject to legal restriction or sanction. Please notify the sender, by electronic mail or telephone, of any unintended recipients and delete the original message without making any copies.
=====

NOTIFICATION: Katten Muchin Rosenman LLP is an Illinois limited liability partnership that has elected to be governed by the Illinois Uniform Partnership Act (1997).
=====